



PATENT

Case Docket No. NOVCEL.017A

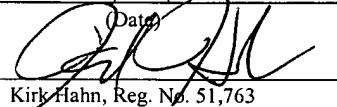
Date: January 14, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Scharp, D., et al.
Appl. No. : 10/684,859
Filed : October 14, 2003
For : IMPLANTATION OF
ENCAPSULATED BIOLOGICAL
MATERIALS FOR TREATING
DISEASES
Examiner : Unknown
Group Art Unit : Unknown

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 14, 2004

(Date)

Kirk Hahn, Reg. No. 51,763


TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with 108 reference patents [foreign patents are redundant of US patents] and 4 reference published papers [copies enclosed]
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Credit Card (Form PTO-2038 is attached.).
- (X) Return prepaid postcard.


Kirk Hahn
Registration No. 51,763
Agent of Record
(949) 727-1942 ext 217



PATENT

Case Docket No. NOVCEL.017A

Date: January 14, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Scharp, D., et al.
Appl. No. : 10/684,859
Filed : October 14, 2003
For : IMPLANTATION OF
ENCAPSULATED BIOLOGICAL
MATERIALS FOR TREATING
DISEASES
Examiner : Unknown
Group Art Unit : Unknown

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 14, 2004

(Date)

Kirk Hahn, Reg. No. 51,763

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is being filed within 3 months of the filing date of the above application and no fee is required in accordance with 37 C.F.R. § 1.97(b)(1). In the event a fee is required, the Commissioner is authorized to charge any fee that may be applicable to the Credit Card (Form PTO-2038 is attached) of Novocell.

Date:

1/14/04

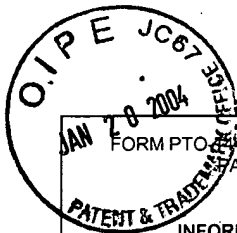
Respectfully submitted,

Kirk Hahn, Ph.D.

Registration No. 51,763

Agent of Record

(949) 727-1942 ext 217



FORM PTO 2449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. NOVCEL.017A	APPLICATION NO. 10/684,859
	APPLICANT Scharp, D., et al.	
	FILING DATE October 14, 2003	GROUP

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	5232984	08/03/1993	Hubbell, J., <i>et al.</i>			
	2	5334640	04/08/1992	Desai, N., <i>et al.</i>			
	3	5380536	01/10/1995	Hubbell, J., <i>et al.</i>			
	4	5410016	04/25/1995	Hubbell, J., <i>et al.</i>			
	5	5462990	10/31/1995	Hubbell, J., <i>et al.</i>			
	6	5529914	06/25/1996	Hubbell, J., <i>et al.</i>			
	7	5545423	08/13/1996	Soon-Shiong, P., <i>et al.</i>			
	8	5550178	08/27/1996	Desai, N., <i>et al.</i>			
	9	5567435	10/22/1996	Hubbell, J., <i>et al.</i>			
	10	5573934	11/12/1996	Hubbell, J., <i>et al.</i>			
	11	5578442	11/26/1996	Desai, N., <i>et al.</i>			
	12	5626863	05/06/1997	Hubbell, J., <i>et al.</i>			
	13	5627233	05/06/1997	Hubbell, J., <i>et al.</i>			
	14	5700848	12/23/1997	Soon-Shiong, P., <i>et al.</i>			
	15	5705270	01/06/1998	Soon-Shiong, P., <i>et al.</i>			
	16	5759578	06/02/1998	Soon-Shiong, P., <i>et al.</i>			
	17	5788988	08/04/1998	Soon-Shiong, P., <i>et al.</i>			
	18	5801033	09/01/1998	Hubbell, J., <i>et al.</i>			
	19	5820882	10/13/1998	Hubbell, J., <i>et al.</i>			
	20	5834274	11/10/1998	Hubbell, J., <i>et al.</i>			
	21	5834556	11/10/1998	Desai, N., <i>et al.</i>			
	22	5837747	11/17/1998	Soon-Shiong, P., <i>et al.</i>			
	23	5843743	12/01/1998	Hubbell, J., <i>et al.</i>			
	24	5846530	12/08/1998	Soon-Shiong, P., <i>et al.</i>			
	25	5849839	12/15/1998	Hubbell, J., <i>et al.</i>			
	26	5858746	01/12/1999	Hubbell, J., <i>et al.</i>			
	27	5879709	03/09/1999	Soon-Shiong, P., <i>et al.</i>			

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. NOVCEL.017A	APPLICATION NO. 10/684,859
	APPLICANT Scharp, D., et al.	
	FILING DATE October 14, 2003	GROUP

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)	
	28	5986043	11/16/1999	Hubbell, J., <i>et al.</i>			
	29	6007833	12/28/1999	Chudzik, S., <i>et al.</i>			
	30	6060582	05/09/2000	Hubbell, J., <i>et al.</i>			
	31	6077698	06/20/2000	Swan, D., <i>et al.</i>			
	32	6156345	12/05/2000	Chudzik, S., <i>et al.</i>			
	33	6231892	11/13/1997	Hubbell, J., <i>et al.</i>			
	34	6258870	07/10/2001	Hubbell, J., <i>et al.</i>			
	35	6306922	10/23/2001	Hubbell, J., <i>et al.</i>			
	36	6410044	06/25/2002	Chudzik, S., <i>et al.</i>			
	37	6495161	12/17/2002	Soon-Shiong, P., <i>et al.</i>			
	38	6565842	05/20/2003	Sojomihardjo, S., <i>et al.</i>			
	39	6602975	08/05/2003	Hubbell, J., <i>et al.</i>			
	40	6603040	08/05/2003	Swan, D., <i>et al.</i>			
	41	2002058318	05/16/2002	Hubbell, J., <i>et al.</i>			
	42	2002091229	07/11/2002	Hubbell, J., <i>et al.</i>			
	43	20030031697	02/13/2003	Chudzik, S., <i>et al.</i>			
	44	20030087985	05/08/2003	Hubbell, J., <i>et al.</i>			

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	45	AT154242T T	06/15/1997	Austria				
	46	AT197125T T	11/15/2000	Austria				
	47	AU3124793 A	06/07/1993	Australia				
	48	AU3735393 A	10/05/1993	Australia				
	49	AU3780993 A	09/13/1993	Australia				
	50	AU673160 B2	10/31/1996	Australia				
	51	AU683209 B2	11/06/1997	Australia				

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. NOVCEL.017A	APPLICATION NO. 10/684,859
	APPLICANT Scharp, D., et al.	
	FILING DATE October 14, 2003	GROUP

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
						YES	NO	
	52	AU683312 B2	11/06/1997	Australia				
	53	AU7967994 A	05/01/1995	Australia				
	54	AU8755791 A	05/20/1992	Australia				
	55	BR9306038 A	01/13/1998	Brazil				
	56	BR9306041 A	11/18/1997	Brazil				
	57	CA2117584 A1	09/02/1993	Canada				
	58	CA2117584 C	09/22/1998	Canada				
	59	CA2117588 A1	09/16/1993	Canada				
	60	CA2117588 C	08/25/1998	Canada				
	61	CA2121129 A1	05/13/1993	Canada				
	62	CA2173317 A1	04/13/1995	Canada				
	63	DE69126535D D1	07/17/1997	Germany				
	64	DE69126535T T2	09/25/1997	Germany				
	65	DE69329594D D1	11/30/2000	Germany				
	66	DE69329594T T2	05/31/2001	Germany				
	67	DE69425577D D1	09/21/2000	Germany				
	68	DE69425577T T2	04/26/2001	Germany				
	69	DK627911T T3	11/20/2000	Denmark				
	70	DK722470T T3	12/18/2000	Denmark				
	71	EP0553195 A1	08/04/1993	Europe				
	72	EP0553195 A4	09/29/1993	Europe				
	73	EP0553195 B1	06/11/1997	Europe				
	74	EP0610441 A1	08/17/1994	Europe				
	75	EP0610441 A4	01/10/1996	Europe				
	76	EP0627911 A1	12/14/1994	Europe				
	77	EP0627911 A4	07/26/1995	Europe				
	78	EP0627911 B1	10/25/2000	Europe				

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. NOVCEL.017A	APPLICATION NO. 10/684,859
	APPLICANT Scharp, D., et al.	
	FILING DATE October 14, 2003	GROUP

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	79	EP0627912 A1	12/14/1994	Europe				
	80	EP0627912 A4	07/26/1995	Europe				
	81	EP0722470 A1	07/24/1996	Europe				
	82	EP0722470 B1	08/16/2000	Europe				
	83	ES2104727T T3	10/16/1997	Spain				
	84	ES2152334T T3	02/01/2001	Spain				
	85	ES2153378T T3	03/01/2001	Spain				
	86	GR3034767T T3	02/28/2001	Greece				
	87	GR3035172T T3	04/30/2001	Greece				
	88	JP11502552T T	03/02/1999	Japan				
	89	JP2002514235T T	05/14/2002	Japan				
	90	JP3011767B2 B2	02/21/2000	Japan				
	91	JP3011768B2 B2	02/21/2000	Japan				
	92	JP7503943T T	04/27/1995	Japan				
	93	JP7506961T T	08/03/1995	Japan				
	94	JP7507056T T	08/03/1995	Japan				
	95	JP9506012T T	06/17/1997	Japan				
	96	KR266912 B1	12/01/2000	Korea				
	97	NZ249770 A	09/25/1996	New Zealand				
	98	NZ251039 A	03/26/1996	New Zealand				
	99	PT627911T T	04/30/2001	Portugal				
	100	PT722470T T	11/30/2000	Portugal				
	101	WO9206678 A1	04/30/1992	PCT				
	102	WO9309176 A2	05/13/1993	PCT				
	103	WO9309176 A3	07/22/1993	PCT				
	104	WO9316687 A1	09/02/1993	PCT				
	105	WO9317669 A1	09/16/1993	PCT				

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. NOVCEL.017A	APPLICATION NO. 10/684,859
	APPLICANT Scharp, D., et al.	
	FILING DATE October 14, 2003	GROUP

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	106	WO9509883 A1	04/13/1995	PCT				
	107	WO9629370 A2	09/26/1996	PCT				
	108	WO9629370 A3	11/07/1996	PCT				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	109	Gu, Y., et al., 2001, Development of a New Method to Induce Angiogenesis at Subcutaneous Site of Streptozotocin-Induced Diabetic Rats for Islet Transplantation, <i>Cell Transplantation</i> , 10, 453-457.
	110	Kawakami, Y. et al., 2000, Modified Subcutaneous Tissue with Neovascularization is Useful as the Site for Pancreatic Islet Transplantation, <i>Cell Transplantation</i> , 9, 729-732.
	111	Kawakami, Y., et al., 2001, Successful Subcutaneous Pancreatic Islet Transplantation Using an Angiogenic Growth Factor-Releasing Device, <i>Pancreas</i> , 23(4), 375-381
	112	Wang, W., et al., 2003, Subcutaneous Transplantation of Macroencapsulated Porcine Pancreatic Endocrine Cells Normalizes Hyperglycemia in Diabetic Mice, <i>Transplantation</i> , 76(2), 290-296.

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	